

JAN 13 2006

WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

RICK D. NYDEGGER
 BRENT E. LORING
 THOMAS R. VUESINICK
 LARRY R. LAWCOCK
 JONATHAN W. RICHARDS
 DAVID R. WRIGHT
 JOHN C. STEINGRAM
 JOHN M. GUYAN
 CHARLES L. ROBERTS
 DANA L. TANCREN
 ERIC L. MARSHOFF
 CHARLES J. VEVEKA
 ROBYN L. PHILLIPS
 RICHARD C. GILMORE *
 STERLING A. BRENNAN
 R. BURNS ISRAELSEN
 DAVID R. TODD
 DAVID B. DELLENBACH
 L. DAVID GRIFPIN
 ADRIAN J. LEE
 FRASER D. ROY
 CARL T. REED

1000 EAGLE GATE TOWER
 60 EAST SOUTH TEMPLE
 SALT LAKE CITY, UTAH 84111
 TELEPHONE: (801) 333-9800
 FAX: (801) 328-1707
 WEBSITE: HTTP://WWW.WNLAW.COM

FILED VIA FACSIMILE (571) 273-8300

 PATENT APPLICATION
 Docket No. 15689.73

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Shinji Uebayashi et al.

Serial No.: 09/889,000

Filed: June 22, 2001

Conf. No.: 3372

 For: CHANNEL ASSIGNING METHOD AND
 COMMUNICATION APPARATUS

Examiner: Tri H. Phan

Customer No.: 022913

)
)
)
)
) Art Unit
) 2661


R. PARRISH FREEMAN, JR.
 PETER E. MALEN, JR.
 L. REX SEARS, PH.D.
 WILLIAM B. RICHTER
 ROBERT E. AYCOCK
 JENS C. JENKINS
 MICHAEL B. DODD
 KEVIN W. STINGER
 WILLIAM J. ATHAY
 RYAN D. BENSON
 SARA D. JONES
 TYCE KELLER
 JANNA L. JENSEN
 MATTHEW D. TODD
 J. LAVAR OLDHAM
 MICHAEL J. FRODISHAM
 BRETT A. HANSEN
 BRETT I. JOHNSON
 MATTHEW A. BARLOW
 WESLEY C. ROSANDER
 ANDREW S. HANSEN
 CHAD E. NYDEGGER
 JOSEPH G. PIA
 CLYTON E. DUKE
 RYAN N. FARR
 JAMES B. BELSHE
 KIRK R. HARRIS
 MICHAEL M. BALLARD
 DAVID A. JONES
 SHANE K. JENSEN
 JONATHAN M. BENNS, PH.D.
 SCOTT A. WOODBURY
 JOHN T. GADD
 MARK W. FORD
 AARON M. SMITH

VERNON R. RICE §
 OF COUNSEL

TRANSMITTAL FOR REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 CFR §
 1.114 for the above-identified application.

A. Instructions and Averments

___ Enter the Amendment under 37 CFR § 1.116, previously filed.

___ This application is entitled to Small Entity Status under 37 CFR §§
 1.9 and 1.27.

* Admitted only in California
 § Admitted only in Virginia

January 13, 2006
Page 2

B. Enclosed

- ☒ An Amendment "D" and Response for entry in the present application.
- ☒ A Certificate of Facsimile.
- ☐ A Request for Nonpublication of Application.
- ☐ An Associate Power of Attorney.
- ☒ To render this RCE timely filed, enclosed is a Petition for 1-Month Extension of Time.
- ☒ Petition for a one (1)-Month Extension of Time.

C. Payments

- ☒ Form PTO-2038 submitting payment in the amount of \$910.00 is enclosed to cover the following fees:
- ☒ the \$790.00 RCE filing fee pursuant to 37 CFR § 1.17(e); and
- ☒ the \$120.00 petition fee for the 1-month extension of time.
- ☒ No other additional fee is required.

The fee has been calculated as follows:

| | | | SMALL ENTITY | | LARGE ENTITY | |
|--|---------------------------------|---------------|--------------|-------------|--------------|-------------|
| CLAIMS REMAINING AFTER | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADD'T'L FEE | RATE | ADD'T'L FEE |
| TOTAL | MINUS | = 0 | X | | X | |
| INDEPENDENT | MINUS | = 0 | X | | X | |
| 1 st PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | + _____ | | + _____ | |
| | | | TOTAL | | TOTAL | 0 |

☐ PTO 2038 Credit Card form in the amount of \$0 is enclosed to cover the additional claim fee.

January 13, 2006
Page 3

— Please debit Deposit Account No. 23-3178 in the amount of \$0 for the government filing fee.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

X Any additional filing fees required under 37 CFR § 1.16.

X Any patent application processing fees under 37 CFR § 1.17.

— The issue fee set forth in 37 CFR § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR § 1.311(b).

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 13th day of January, 2006.

Respectfully submitted,



ADRIAN J. LEE
Registration No. 42,785
Attorney for Applicant
Customer No. 022913

AJL:ds
DS0000004722V001

JAN 13 2006

WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

 1000 EAGLE GATE TOWER
 60 EAST SOUTH TEMPLE
 SALT LAKE CITY, UTAH 84111
 TELEPHONE: (801) 533-9800
 FAX: (801) 328-1707
 WEBSITE: HTTP://WWW.WNLAW.COM

 RICK D. NYDEGGER
 BRENT P. LORIMER
 THOMAS R. VERMILION
 LARRY R. LAYCOCK
 JONATHAN W. RICHARDS
 DAVID R. WRIGHT
 JOHN C. STRINGHAM
 JOHN M. GUTIN
 CHARLES L. ROBERTS
 DANA L. TANGREN
 ERIC L. MASCHOFF
 CHARLES J. VEVEKA
 ROBYN L. PHILLIPS
 RICHARD C. GILMORE
 SYBILING A. BARNMAN
 R. BURNS ISRAELSEN
 DAVID R. TODD
 DAVID B. DELLENBACH
 L. DAVID GRIFFIN
 ADRIAN J. LEE
 FRANK D. ROY
 CARL T. REED

FILED VIA FACSIMILE (571) 273-8300

 PATENT APPLICATION
 Docket No. 15689.73

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Shinji Uebayashi et al.

Serial No.: 09/889,000

Filed: June 22, 2001

Conf. No.: 3372

 For: CHANNEL ASSIGNING METHOD AND
 COMMUNICATION APPARATUS

Examiner: Tri H. Phan

Customer No.: 022913

)
)
)
)
) Art Unit
) 2661

 R. PARRISH FREEMAN, JR.
 PETER E. MALEN, JR.
 L. REX SEARS, PH.D.
 WILLIAM R. RICHTER
 ROBERT E. AYCOCK
 JENS C. JENSEN
 MICHAEL B. DODD
 KRYN W. STINGER
 WILLIAM J. ALLIAY
 RYAN D. BENSON
 SARA D. JONES
 TIGER KELUER
 JANNA L. JENSEN
 MATTHEW D. TODD
 J. LAVAR OLDSHAM
 MICHAEL J. FRODRUP
 BRATT A. HANSEN
 BRETT I. JOHNSON
 MATTHEW A. BARLOW
 WESLEY C. ROSANDER
 ANDREW S. HANSEN
 CHAD E. NYDEGGER
 JOSEPH G. FIA
 CLINTON E. DUKE
 RYAN N. FAHR
 JAMES B. BELMIE
 KIRK R. HARRIS
 MICHAEL M. BALLARD
 DAVID A. JONES
 SHANE K. JENSEN
 JONATHAN M. BENNE, PH.D.
 SCOTT A. WOODBURY
 JOHN T. GADD
 MARK W. FORD
 AARON M. SMITH

TRANSMITTAL FOR REQUEST FOR CONTINUED EXAMINATION

 Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

 This is a Request for Continued Examination (RCE) under 37 CFR §
 1.114 for the above-identified application.

 VERNON R. RICE §
 OF COUNSEL

A. Instructions and Averments

01/17/2006 MBINAS 00000029 09089000

01 FC:1001

790.00 OP

Enter the Amendment under 37 CFR § 1.116, previously filed.

 This application is entitled to Small Entity Status under 37 CFR §§
 1.9 and 1.27.

 * Admitted only in California
 § Admitted only in Virginia

January 13, 2006
Page 2

B. Enclosed

- ☒ An Amendment "D" and Response for entry in the present application.
- ☒ A Certificate of Facsimile.
- ☐ A Request for Nonpublication of Application.
- ☐ An Associate Power of Attorney.
- ☒ To render this RCE timely filed, enclosed is a Petition for 1-Month Extension of Time.
- ☒ Petition for a one (1)-Month Extension of Time.

C. Payments

- ☒ Form PTO-2038 submitting payment in the amount of \$910.00 is enclosed to cover the following fees:
- ☒ the \$790.00 RCE filing fee pursuant to 37 CFR § 1.17(e); and
- ☒ the \$120.00 petition fee for the 1-month extension of time.
- ☒ No other additional fee is required.

The fee has been calculated as follows:

| | | | SMALL ENTITY | | LARGE ENTITY | |
|--|---------------------------------|---------------|--------------|-------------|--------------|-------------|
| CLAIMS REMAINING AFTER | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADD'T'L FEE | RATE | ADD'T'L FEE |
| TOTAL | MINUS | = 0 | X | | X | |
| INDEPENDENT | MINUS | = 0 | X | | X | |
| 1 st PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | + _____ | | + _____ | |
| | | | TOTAL | | TOTAL | 0 |

☐ PTO 2038 Credit Card form in the amount of \$0 is enclosed to cover the additional claim fee.

January 13, 2006
Page 3

— Please debit Deposit Account No. 23-3178 in the amount of \$0 for the government filing fee.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

X Any additional filing fees required under 37 CFR § 1.16.

X Any patent application processing fees under 37 CFR § 1.17.

— The issue fee set forth in 37 CFR § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR § 1.311(b).

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 13th day of January, 2006.

Respectfully submitted,



ADRIAN J. LEE
Registration No. 42,785
Attorney for Applicant
Customer No. 022913

AJL:ds
DS0000004722V001